

**NEW YORK STATE**
Unified Court System

OFFICE OF COURT ADMINISTRATION

LAWRENCE K. MARKS
CHIEF ADMINISTRATIVE JUDGEJOHN W. MCCONNELL
COUNSEL

September 7, 2018

MEMO ENDORSED

Hon. Kenneth M. Karas
 United States District Judge
 United States District Court
 Southern District of New York
 United States Courthouse
 300 Quarropas Street, Chambers 533
 White Plains, New York 10601-4150

Re: Fishman v. Office of Court Administration New York Courts
18 CV 00282 (KMK)

Dear Judge Karas:

This Office represents the defendant Office of Court Administration New York Courts [sic] ("OCA") in the above-referenced action.¹ By Memo Endorsement dated August 15, 2018, this Court granted defendant OCA's request to file a motion to dismiss the amended complaint under Fed. R. Civ. P. 12(b)(1) and 12(b)(6). The Court set the following schedule: defendant's Motion to Dismiss due on September 14, 2018, plaintiff's Response being due on October 15, 2018, and defendant's Reply being due by October 29, 2018. I write this letter requesting an extension of time to file defendant's Motion to Dismiss the amended complaint.

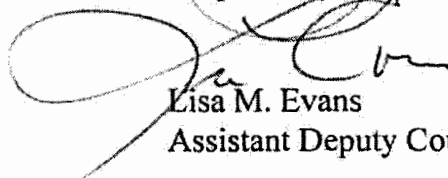
I contacted plaintiff to obtain his consent for an extension of time of the schedule set forth above. Plaintiff consented to an extension of the motion schedule. However, plaintiff informed this office that he has submitted a proposed second amended complaint to the Pro Se office for filing. Defendant has not been served with this proposed second amended complaint. In light of plaintiff's representation that he is seeking to file a second amended complaint and his consent to extend the motion schedule, it is respectfully

¹Throughout the amended complaint, numerous individuals involved in plaintiff's underlying Family Court proceedings, including judicial personnel, are referred to as "defendant" and collectively as "defendants." None of these individuals are named in the caption nor have they been served.

requested that defendant's request for an extension of time to file its Motion to Dismiss be extended. Defendant proposes the following schedule: defendant's Motion to Dismiss due October 15, 2018, Plaintiff's Response being due November 12, 2018 and Defendant's Reply being due November 26, 2018. M

Alternatively, should plaintiff's proposed second amended complaint be accepted - after potential opposition by defendant - defendant requests that the motion schedule be reset after service of plaintiff's proposed second amended complaint.

Respectfully submitted,

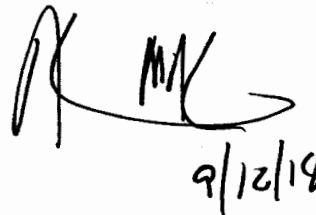


Lisa M. Evans
Assistant Deputy Counsel

cc: Marc Fishman, Plaintiff pro se
(via E-mail and ecf)

Granted.

So ordered



9/12/18

**The Clerk of the Court is directed to
mail a copy of this Order to the Plaintiff**